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Docket No.: SOA-246
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Richard Gioscia et al.

Application No.: 09/197,506

Confirmation No.: 1334

Filed: November 23, 1998

Art Unit: 2685

For: METHOD AND SYSTEM FOR INTERACTIVE
DIGITAL RADIO BROADCASTING AND
MUSIC DISTRIBUTION

Examiner: C. C. Chow

RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice Of Drawing Inconsistency With Specification mailed on September 21, 2005. The Notice contends that Figure 3 is contained in the Drawings but not listed in the Brief Description of the Drawings.

In response to this contention, please note that the application papers for the above-identified application were deposited with the U.S. Patent and Trademark Office on November 23, 1998.

The Office Action mailed on September 5, 2003 objected to the drawings. In response to the drawing objection made in the Office Action of September 5, 2003, the paper filed on December 2, 2003 submitted proposed Figure 3 for consideration by the Examiner.

Subsequent to the filing on December 2, 2003 of proposed Figure 3, the Office Actions mailed on February 27, 2004 and on August 2, 2004 failed either to acknowledge receipt and entry of proposed Figure 3 or to maintain the objection to the drawings.

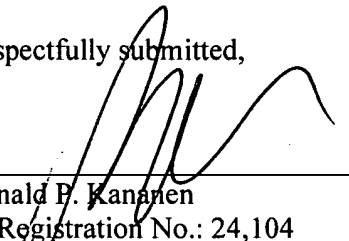
Instead, the Notice of Allowability mailed on April 7, 2005 indicates that the drawings filed on November 23, 1998 are accepted by the Examiner.

Accordingly, it is respectfully believed that no inconsistency is to be found between the drawings accepted by the Examiner in the Notice of Allowability and the Brief Description of the Drawings set forth within the specification.

No fee is believed required. If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: October 6, 2005

Respectfully submitted,

By 

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